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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Carl D. Contadini

Atty. Docket No.: 24044-205B

Serial No.: 10/686,312

Group Art Unit: 2858

Filing Date: October-15, 2003

Title: Device with One or More Indicators

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Enclosed please find the following items regarding the above referenced patent application:

1. Petition Under 37 CFR 1.181 And Fee Authorization (2 sheets)
2. Response To Notice To File Missing Parts Of Application And Fee Authorization (2 sheets) With Accompanying Exhibits A-C
3. Declaration of Arthur G. Schaier In Support Of Petition Under 37 CFR 1.181 (3 sheets)
4. Declaration of Linda M. Freed In Support Of Petition Under 37 CFR 1.181 (5 sheets) With Accompanying Exhibit A
5. Declaration of Florence S. Chamoures In Support Of Petition Under 37 CFR 1.181 (4 sheets) With Accompanying Exhibit A

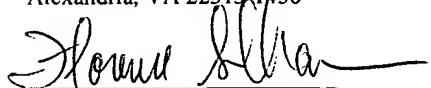
No fee is believed due with the filing of this Response, however, if a fee is due, please charge Deposit Account No. 50-0447.

CERTIFICATE OF MAILING


Respectfully submitted,

I hereby certify that this transmittal is being deposited with the U.S. Postal Service with sufficient postage for first class mail in an envelope addressed to:

Mail Stop Petition
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Florence S. Chamoures

July 21, 2004

By: 
Arthur G. Schaier, Reg. 37,715
Carmody & Torrance LLP
50 Leavenworth Street
Waterbury, CT. 06721-1110
(203) 575-2629



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Carl D. Contadini	Atty. Docket No.:	24044-205B
Serial No.: 10/686,312	Group Art Unit:	2858
Filing Date:	October 15, 2003	
Title:	Device with One or More Indicators	

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.181 AND
FEE AUTHORIZATION**

Applicant respectfully petitions the Director (or other appropriate individual) to accept the attached late filing of the Response to Notice to File Missing Parts of Application, dated January 13, 2004, and waive all extension fees therewith and to accord Fig. 3 a filing date of October 15, 2003, in view of the supporting documents being filed herewith. Copies of the foregoing documents are being filed herewith and are attached to the accompanying Response To Notice To File Missing Parts Of Application And Fee Authorization.

As indicated in the supporting documents, including the Declarations of Linda M. Freed, Florence S. Chamoures and Arthur G. Schaier, it is respectfully submitted that the Filing Receipt and Notice to File Missing Parts were not received on a timely basis, and, that Fig. 3 was in fact filed along with the application papers on October 15, 2003.

Please charge Deposit Account No. 50-0447 in the amount of \$130, plus any deficiencies, for the filing of this Petition, as set for in 37 CFR 1.17(h). If this is deemed

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{W1309501}

Serial No.: 10/686,312
Filing Date: October 15, 2003

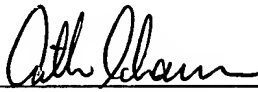
Group Art Unit: 2858
Atty. Docket No.: 24044-205B

to be two petitions, please charge the foregoing account as necessary. If a refund of any part of the Petition Fee is appropriate if it is determined that Figure 3 was received by the Office, please refund it to the above Deposit Account.

The accompanying RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND FEE AUTHORIZATION authorizes the charge to Deposit Account No. 50-0447 in the amount of \$65.00, plus any deficiencies, for the surcharge for filing the Declaration on a date later than the filing date of the application, as set forth in 37 CFR 1.16(e).

Early and favorable reply is earnestly solicited.

Respectfully submitted,

By: 
Arthur G. Schaier, Reg. 37,715
Carmody & Torrance LLP
50 Leavenworth Street
P.O. Box 1110
Waterbury, CT 06721-1110
(203) 575-2629



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Carl D. Contadini

Atty. Docket No.: 24044-205B

Serial No.: 10/686,312

Group Art Unit: 2858

Filing Date: October 15, 2003

Title: Device with One or More Indicators

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
AND FEE AUTHORIZATION**

In response to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, dated January 13, 2004 (copy attached as Exhibit A), enclosed is a Declaration in compliance with 37 C.F.R. 1.63, attached as Exhibit B hereto.

By way of the accompanying Petition, Applicant respectfully petitions for the acceptance of the attached late filing of the Response to Notice to File Missing Parts of Application, dated January 13, 2004, and waive all extension fees therewith and to accord Fig. 3 (attached as Exhibit C hereto) a filing date of October 15, 2003, in view of the supporting documents being filed herewith. All Petition Fees are authorized therein.

Herewith, please charge Deposit Account No. 50-0447 in the amount of \$65.00, plus any deficiencies, for the surcharge for filing the Declaration on a date later than the filing date of the application, as set forth in 37 CFR 1.16(e).

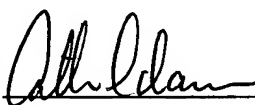
If the accompanying requests in the Petition are granted, Applicant respectfully

Serial No.: 10/686,312
Filing Date: October 15, 2003

Group Art Unit: 2858
Atty. Docket No.: 24044-205B

submits all the filing requirements for the above-identified patent application will be complete, and notice to this effect is earnestly solicited.

Respectfully submitted,

By: 

Arthur G. Schaier, Reg. 37,715
Carmody & Torrance LLP
50 Leavenworth Street
P.O. Box 1110
Waterbury, CT 06721-1110
(203) 575-2629



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/686,312	10/15/2003	Carl D. Contadini	

Arthur G. Schaier
Carmody & Torrance LLP
50 Leavenworth Street
P.O. Box 1110
Waterbury, CT 06721-1110

CONFIRMATION NO. 7253

FORMALITIES LETTER



OC00000011677389

Date Mailed: 01/13/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **3** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date.

J. Linda Freed COMPANY:

being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Patent Technology Center 1700

Facsimile Transmission

To: Name: Linda Freed
 Company:
 Fax Number: 2035752600
 Voice Phone:

From: Name: Tushombe Stokes
 Official Fax Number: (703) 872-9310
 Official After Final Fax Number: (703) 872-9311
 Voice Phone:

37 C.F.R. 1.6 sets forth the types of correspondence that can be communicated to the Patent and Trademark Office via facsimile transmissions. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)).

Fax Notes:

Date and time of transmission: Wednesday, July 14, 2004 3:47:56 PM
Number of pages including this cover sheet: 03
